

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE OPTICAL DISK DRIVE
ANTITRUST LITIGATION**

Case No. 3:10-md-02143 RS

MDL No. 2143

This Document Relates to:

DIRECT PURCHASER CLASS ACTIONS

**FINAL JUDGMENT OF DISMISSAL
WITH PREJUDICE AS TO DEFENDANTS
PANASONIC CORPORATION AND
PANASONIC CORPORATION OF
NORTH AMERICA**

1 This matter has come before the Court to determine whether there is any cause why this
 2 Court should not approve the settlement with Defendants Panasonic Corporation and Panasonic
 3 Corporation of North America (collectively, “Panasonic” or “Defendants”) set forth in the
 4 Settlement Agreement (“Agreement”), dated August 21, 2013, relating to the above-captioned
 5 litigation. The Court, after carefully considering all papers filed and proceedings held herein and
 6 otherwise being fully informed in the premises, has determined (1) that the Settlement should be
 7 approved, and (2) that there is no just reason for delay of the entry of this Final Judgment
 8 approving this Agreement. Accordingly, the Court directs entry of Judgment which shall constitute
 9 a final adjudication of this case on the merits in accordance with the terms of the Agreement.
 10 Good cause appearing therefor, it is:

11 **ORDERED, ADJUDGED AND DECREED THAT:**

12 1. The Court has jurisdiction over the subject matter of the Action and over all parties
 13 to the Agreement, including all members of the Class.

14 2. The definitions of terms set forth in the Agreement are incorporated hereby as
 15 though fully set forth in this Judgment.

16 3. The Court hereby finally approves and confirms the settlement set forth in the
 17 Agreement and finds that said settlement is, in all respects, fair, reasonable and adequate to the
 18 Class pursuant to Rule 23 of the Federal Rules of Civil Procedure.

19 4. Pursuant to Fed. R. Civ. P. 23(g), Saveri & Saveri, Inc. is appointed as counsel for
 20 the Class. This firm has and will fairly and competently represent the interests of the Class.

21 5. The persons/entities identified in Exhibit C to the Declaration of Ross Murray in
 22 Support of Final Approval of Class Action Settlement with Panasonic Defendants filed on April
 23 24, 2014, have validly requested exclusion from the Class and, therefore, are excluded. Such
 24 persons/entities are not included in or bound by this Final Judgment. Such persons/entities are not
 25 entitled to any recovery of the settlement proceeds obtained through the Panasonic Settlement.

26 6. This Court hereby dismisses on the merits and with prejudice the Class Action in
 27 favor of Panasonic, with each party to bear their own costs and attorneys’ fees.
 28

1 7. All persons and entities who are Releasors are hereby barred and enjoined from
2 commencing, prosecuting or continuing, either directly or indirectly, against the Releasees, in this
3 or any other jurisdiction, any and all claims, causes of action or lawsuits, which they had, have, or
4 in the future may have, arising out of or related to any of the Released Claims as defined in the
5 Agreement.

6 8. The Releasees are hereby and forever released and discharged with respect to any
7 and all claims or causes of action which the Releasors had or have arising out of or related to any
8 of the Released Claims as defined in the Agreement.

9 10. Without affecting the finality of this Judgment in any way, this Court hereby retains
10 continuing jurisdiction over: (a) implementation of this settlement and any distribution to Class
11 Members pursuant to further orders of this Court; (b) disposition of the Settlement Fund; (c)
12 hearing and determining applications by Plaintiffs' counsel for attorneys' fees, costs, expenses, and
13 interest; (d) the Action until the Final Judgment contemplated hereby has become effective and
14 each and every act agreed to be performed by the parties all have been performed pursuant to the
15 Agreement; (e) hearing and ruling on any matters relating to the plan of allocation of settlement
16 proceeds; and (f) all parties to the Action and Releasors, for the purpose of enforcing and
17 administering the Agreement and the mutual releases and other documents contemplated by, or
18 executed in connection with the Agreement.

19 11. The Court finds, pursuant to Rules 54(a) and (b) of the Federal Rules of Civil
20 Procedure, that this Final Judgment should be entered and further finds that there is no just reason
21 for delay in the entry of this Judgment, as a Final Judgment, as to the parties to the Agreement.
22 Accordingly, the Clerk is hereby directed to enter Judgment forthwith.

23
24 IT IS SO ORDERED.

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26 Dated: 5/15/14

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Hon. Richard Seeborg
United States District Judge